

September 30, 2019

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

Via SCPSC E-FILING DMS

Re: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A); Docket No. 2019-185-E

Dear Ms. Boyd:

Pursuant to Hearing Officer Directives, Order Nos. 2019-104-H and 2019-107-H, Walmart Inc. ("Walmart") submits this **Letter in lieu of Prehearing Brief** in the above referenced case.

On May 30, 2019, the Public Service Commission of South Carolina ("Commission") initiated this proceeding to establish Duke Energy Carolinas, LLC's ("DEC" or "Company") "standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section," pursuant to S.C. Code Ann. § 58-41-20(A).

Walmart filed a Petition to Intervene in this case on July 30, 2019, which was granted by Commission Directive Order No. 2019-568 issued on August 14, 2019. After the review of submissions by DEC, discovery, and filings by other parties, Walmart opted not to submit testimony in this case and has not presented any legal issues. As such, Walmart will not be presenting any witnesses at the evidentiary hearing and does not currently foresee a need to cross-examine any other parties' witnesses. Further, Walmart may seek to be excused from attendance for all or a portion of the evidentiary hearing; however, Walmart may attend portions of the hearing and reserves its right to otherwise participate in this case.

All parties are being served a copy of this document in accordance with the attached Certificate of Service.

Please contact me if you have any questions.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Stephanie U. Eaton
(SC Bar No. 80073)

Carrie Harris Grundman
charris@spilmanlaw.com

Derrick Price Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com

Counsel to Walmart Inc.

SUE/sds
Attachments
c: Certificate of Service

ELECTRONICALLY FILED - 2019 September 30 3:36 PM - SCPSC - Docket# 2019-185-E - Page 3 of 4

CERTIFICATE OF SERVICE

Becky Dover, Esquire
Carri Grube-Lybarker, Esquire
SC Department of Consumer Affairs
293 Greystone Boulevard, Suite 400
Columbia, SC 29210
bdover@scconsumer.gov
clybarker@scconsumer.gov

James H. Goldin, Esquire
Weston Adams, III, Esquire
Jeremy C. Hodges, Esquire
Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
P.O. Box 11070
Columbia, SC 29211-1070
Jamey.goldin@nelsonmullins.com
Weston.adams@nelsonmullins.com
Jeremy.hodges@nelsonmullins.com

Richard L. Whitt, Esquire
Whitt Law Firm, LLC
P.O. Box 362
Irmo, SC 29063
richard@rlwhitt.law

James Blanding Holman IV, Esquire
Stinson W. Ferguson, Esquire
Southern Environmental Law Center
463 King St., Suite B
Charleston, SC 29403
bholman@selcsc.org
sferguson@selcsc.org

Maia Danaid Hutt, Esquire
Lauren Joy Bowen, Esquire
Southern Environmental Law Center
601 W. Rosemary Street, Suite 202
Chapel Hill, NC 27516
mhutt@selcnc.org
lbowen@selcnc.org

Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201
selliott@elliottlaw.us



Stephanie U. Eaton (SC Bar No. 80073)

Dated: September 30, 2019